

Message Text

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42

ACTION EA-14

INFO OCT-01 EUR-25 NEA-10 ADP-00 IO-12 DPW-01 CIAE-00

DODE-00 PM-09 H-02 INR-09 L-03 NSAE-00 NSC-10 PA-03

RSC-01 PRS-01 SS-14 USIA-12 OMB-01 MC-02 AID-20

ACDA-19 RSR-01 IGA-02 GAC-01 /173 W
----- 002841

R 231015 Z MAR 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 9096

AMEMBASSY BELGRADE

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY BUDAPEST

CINCPAC

AMEMBASSY COPENHAGEN

USDEL FRANCE

AMEMBASSY THE HAGUE

AMEMBASSY HELSINKI

AMEMBASSY JAKARTA

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY NEW DELHI

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

AMEMBASSY WARSAW

C O N F I D E N T I A L SECTION 1 OF 2 SAIGON 4844

T. O. 11652: GDS

TAGS: MILI, VS

SUBJECT: BACKGROUND MATERIAL RE ALLEGED US VIOLATION OF
CEASEFIRE AGREEMENT (ARMS SHIPMENTS).

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CINCPAC FOR POLAD

1. SUBJECT TO US ARMS SHIPMENTS TO RVN SINCE JANUARY 27 REMAINS SUBJECT OF CONSIDERABLE INTEREST AND ONE WHICH PRG/ DRV ARE SEEKING TO PORTRAY AS SYSTEMATIC CEASEFIRE VIOLATION. ISSUE AROSE IN JAPAN DUE TO SHIPMENT OF ARMS FROM HIROSHIMA TO DANANG AND WAS SUBJECT OF INTERPELLATION BY OPPOSITION IN DIET. EMBASSY BELIEVES THAT SUBJECT LIKELY REMAIN IN SPOTLIGHT AND MAY BECOME MATTER FOR INQUIRIES OR FORMAL REPRESENTATIONS BY HOST GOVERNMENTS.

WE ACCORDINGLY TRANSMIT FOR USE OF ADDRESSEES FOLLOWING DOCUMENTA-

TION, WHICH SHOULD BE DRAWN UPON AS NECESSARY: (A) TALKING PAPER DEVELOPED BY EMBASSY TOKYO FOR USE IN DISCUSSIONS WITH GOJ;

(B) TEXT OF MARCH 16 LETTER FROM LTG TRAN VAN TRA, CHIEF OF PRG DELEGATION TO FOUR PARTY JOINT MILITARY COMMISSION (FPJMC) TO MG G. H. WOODWARD, CHIEF OF US DELEGATION, CHARGING US WITH ARMS SHIPMENTS IN CONTRAVENTION OF CEASEFIRE AGREEMENT; (C) GEN. WOODWARD' S

REPLY OF MARCH 18 TO GEN. TRA. TEXTS FOLLOW:

A. U. S. ARMS SHIPMENTS TO THE GOVERNMENT OF SOUTH VIETNAM SINCE JANUARY 27, 1973, HAVE BEEN CONSISTENT WITH THE PROVISION OF ARTICLE 7 OF THE CEASEFIRE AGREEMENT STIPULATING PERIODIC REPLACEMENT

OF ARMAMENTS, MUNITIONS AND WAR MATERIAL WHICH HAVE BEEN DESTROYED, DAMAGED, WORN OUT OR USED UP AFTER THE CEASEFIRE ON THE BASIS OF PIECE- FOR- PIECE.

THE UNITED STATES GOVERNMENT IS, OF COURSE, FULLY AWARE THAT ARTICLE 7 ALSO STIPULATES THAT SUCH REPLACEMENTS ARE TO BE MADE UNDER THE SUPERVISION OF THE JOINT MILITARY COMMISSION (JMC) OF THE TWO SOUTH VIETNAMESE PARTIES AND OF THE INTERNATIONAL COMMISSION

OF CONTROL AND SUPERVISION (ICCS). AS A MATTER OF FACT, HOWEVER, THE TWO SOUTH VIETNAMESE PARTIES HAVE NOT YET CONSITITUTED THIS TWO-PARTY

COMMISSION, ALTHOUGH THERE HAVE BEEN SOME WORKING DISCUSSIONS BETWEEN THE TWO SOUTH VIETNAMESE DELEGATIONS TO THE FPJMC.

THE TWO SOUTH VIETNAMESE PARTIES, HOWEVER, HAVE EACH DESIGNATED THREE INITIAL POINTS OF ENTRY IN ACCORDANCE WITH ARTICLE 7 OF THE PROTOCOL CONCERNING CEASEFIRE AND THE MILITARY COMMISSIONS.

THE GVN SIDE HAS SESIGNATED DANANG, SAIGON AND CAM RANH BAY AS SUCH POINTS OF ENTRY. FURTHER, THE ICCS HAS DEPLOYED TEAMS TO THE GVN DESIGNATED POINTS OF ENTRY AT DANANG, SAIGON AND

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CAM RANH BAY. THE MODALITIES OF VERIFYING REPLACEMENT OF WAR MATERIALS AND FOR THE OPERATION OF INSPECTION TEAMS, HOWEVER, REMAINS TO BE WORKED OUT BY THE TWO SOUTH VIETNAMESE PARTIES.

IT IS ALSO NOTED THAT ARTICLE 12(B) OF THE PROTOCOL CONCERNING CEASEFIRE AND THE MILITARY COMMISSIONS PROVIDES THAT UNTIL SUCH TIME AS THE TWO- PARTY JOINT MILITARY COMMISSION BECOMES OPERATIONAL " THE TWO SOUTH VIETNAMESE PARTIES' DELEGATIONS TO THE FPJMC AT ALL LEVELS SHALL SIMULTANEOUSLY ASSUME THE TASKS OF THE TWO- PARTY JMC AT ALL LEVELS, IN ADDITION TO THEIR FUNCTIONS AS DELEGATIONS TO THE FPJMC."

US ARMS SHIPMENTS TO THE GVN SINCE JANUARY 27 HAVE BEEN MADE IN RESPONSE TO REQUESTS FROM THAT GOVERNMENT WHICH HAS HAD NO CHOICE BUT TO REPLACE THOSE MUNITIONS EXPENDED IN COUNTERING COMMUNIST VIOLATIONS OF THE CEASEFIRE. IT IS UNFORTUNATE THAT THERE HAS BEEN A DELAY IN CONSTITUTING THE TWO- PARTY JMC, STIPULATED UNDER ARTICLE 7 OF THE CEASEFIRE AGREEMENT FOR SUPERVISING THE REPLACEMENT OF WAR MATERIALS. THE US GOVERNMENT EARNESTLY HOPES THAT THIS TWO- PARTY JMC WILL BE CONSTITUTED PROMPTLY.

UNTIL THE SUPERVISORY MACHINERY IS IN PLACE AND FULLY OPERATIVE, HOWEVER, THE U. S. GOVERNMENT IS TAKING CAREFUL MEASURES TO ENSURE THAT ALL ARMS DELIVERIES TO THE GOVERNMENT OF SOUTH VIETNAM CONFORM STRICTLY TO THE SPIRIT AND INTENT OF ARTICLE 7 OF THE CEASEFIRE AGREEMENT.

IT IS TO BE EMPHASIZED THAT THERE HAVE BEEN NO OBJECTIONS RAISED IN THE FPJMC OR THE ICCS TO POST- CEASEFIRE REPLACEMENTS OF MUNITIONS WHICH HAVE BEEN MADE BY THE UNITED STATES.

B. TEXT OF 3/16 LETTER, TRA TO WOODWARD:

SUBJECT: ON US ILLEGAL INTRODUCTION OF WEAPONS AND MATERIAL INTO SOUTH VIETNAM.

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RSC-01 PRS-01 SS-14 USIA-12 OMB-01 MC-02 AID-20

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AMEMBASSY SOFIA

AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

AMEMBASSY WARSAW

C O N F I D E N T I A L SECTION 2 OF 2 SAIGON 4844

ACCORDING TO MANY FOREIGN SOURCES, THE US HAS RECENTLY
INTRODUCED IN MANY OCCASIONS ARMAMENTS, MUNITIONS AND WAR MATERIAL
INTO SOUTH VIETNAM:

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A/ MANY MEMBERS IN THE OPPOSITION PARTY IN JAPAN DENOUNCED
THAT SINCE MARCH 9, 1973, THE HIRO MUNITIONS DEPOT (IN JAPAN) HAS
BEEN SHIFTED TO DA NANG BY THE GREENWARE SHIP.

B/ ON MARCH 10, 1973, THE UNITED STATES USED A
TONNAGE SHIP TO TRANSPORT ARMAMENTS, MUNITIONS AND WAR MATERIAL
FROM HIROSHIMA TO DA NANG.

C/ MR. TETAREYAMADA, OPPOSITION SENATOR IN THE JAPANESE CONGRESS AND MEMBER OF THE KOMEI PARTY DENOUNCED BEFORE THE JAPANESE CONGRESS THE US INTENTION TO SHIFT 9,000 TON OF MUNITIONS FROM THE US DEPOT IN KURE, WEST OF JAPAN, TO DA NANG IN TWO DAYS MARCH 17 AND 18, 1973.

THE MILITARY DELEGATION OF THE PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM CONSIDERS IT AS ACTS OF VIOLATION OF ARTICLE 7 OF THE AGREEMENT OF ENDING THE WAR AND RESTORING PEACE IN VIETNAM AND ARTICLE 7 OF THE PROTOCOL CONCERNING THE CEASEFIRE IN SOUTH VIETNAM.

THE MILITARY DELEGATION OF THE PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM REQUESTS THE US MILITARY DELEGA

TION AND THE RVN MILITARY DELEGATION TO THE CENTRAL FPJMC TO MAKE ADEQUATE EXPLANATIONS ON THE ABOVE- MENTIONED NEWS, AND ENSURE THAT SUCH THINGS CANNOT BE OCCURED.

LIEUTENANT GENERAL TRAN- VAN- TRA
CHIEF OF THE MILITARY DELEGATION
OF THE P. R. G. OF THE R. S. V. N.
TO THE CENTRAL FOUR- PARTY JMC.

C. TEXT OF 3/18 LETTER, WOODWARD TO TRA:

I HAVE RECEIVED YOUR LETTER OF 16 MARCH 1973 WHICH REFERS TO SHIPMENTS BY THE UNITED STATES OF ARMAMENTS, MUNITIONS AND WAR MATERIEL INTO SOUTH VIETNAM, ALLEGEDLY IN VIOLATION OF ARTICLE 7 OF THE AGREEMENT AND ARTICLE 7 OF THE PROTOCOL CONCERNING THE CEASEFIRE.

IT IS NOTED THAT DA NANG IS ONE OF THE THREE POINTS OF ENTRY DESIGNATED BY THE REPUBLIC OF VIETNAM FOR PERIODIC REPLACEMENT OR ARMAMENTS, MUNITIONS AND WAR MATERIEL.

INSTEAD OF THE PRG GATHERING REPORTS FROM JAPANESE NEWSPAPERS, THE US DELEGATION WOULD BE PLEASED TO SUPPLY RELIABLE, AUTHENTIC INFORMATION CONCERNING THIS MATTER IF THE PRG WOULD ONLY TAKE THE CONFIDENTIAL

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TROUBLE TO ASK FOR IT. PROCEDURES HAVE BEEN ESTABLISHED FOR THESE SHIPMENTS AND RECORDS ARE BEING MAINTAINED WHICH VERIFY THE SCRUPULOUS ADHERENCE BY THE UNITES STATES TO THE PROVISIONS OF THE AGREEMENT.

ON THE OTHER HAND, IT IS NOT CERTAIN THAT SIMILAR SCRUPULOUS PERFORMANCE CAN BE CLAIMED BY THE PRG AND THE DRV. PRESIDENT NIXON REMARKED ON THIS ON 16 MARCH, WHEN HE EXPRESSED SERIOUS CONCERN OVER REPORTS OF INFILTRATION OF HEAVY EQUIPMENT WHICH STEPS UP THE CAPACITY OF NORTH VIETNAM AND THE VIET CONG TO WAGE WAR IN THE SOUTH.

G. H. WOODWARD

MAJOR GENERAL, USA

CHIEF

2. ADDRESSEES ARE REQUESTED ADVISE SAIGON OF SIGNIFICANT DISCUSSIONS
OR OTHER EXPRESSIONS OF INTEREST RE SUBJECT OF US ARMS SHIPMENTS.
BUNKER

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 23 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973SAIGON04844
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: n/a
Film Number: n/a
From: SAIGON
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730339/aaaaiilk.tel
Line Count: 288
Locator: TEXT ON-LINE
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 30 JUL 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <30-Jul-2001 by willialc>; APPROVED <07-Sep-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> srp 971230
Subject: BACKGROUND MATERIAL RE ALLEGED US VIOLATION OF CEASEFIRE AGREEMENT (ARMS SHIPMENTS).
TAGS: MILI, VS
To: EA
SECSTATE WASHDC INFO BELGRADE
BONN
BRUSSELS
MULTIPLE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

